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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,860	07/23/2001	Shunsuke Katahira	016887/1045	8769

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FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/909,860	Applicant(s) KATAHIRA, SHUNSUKE	
	Examiner Saeid Ebrahimi-dehKordy	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/27/02</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-18 rejected under 35 U.S.C. 102(e) as being anticipated by Kutsuwada (U.S. Patent 6,347,203)

Regarding claim 1 and 15 Kutsuwada discloses: An image forming device (please note Fig.1, column 2 lines 22-45) comprising: an image forming main body operative for at least two different functions (please note column 4 lines 27-39) including a copy function and a printer function (please note Fig.6 column 9 lines 22-29) a copy output having an image copied by said copy function and a printer output having an image printed by said printer function (please note column 9 lines 30-42) being discharged from a same paper outlet (please note column 6 lines 5-29 where the paper ejection unit 208 is discharging the papers from the copier and printer) and a finisher including a copy bin for receiving said copy output (please note column 4 lines 52-53) and a printer bin for receiving said printer output (please note Fig.5B, column 4 lines 15-19 where the bin is dedicated for printing) which are selectively set in a position at said paper outlet such that (please note column 4 lines 50-55) when said printer bin is in the position at

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said paper outlet (please note column 4 lines 11-19) if an original to be copied is set or if an automatic original feeder or a platen is raised said printer bin is replaced by said copy bin (please note column 4 lines 27-37 where the if the copy job is set to be executed the print job is stopped and the copy job is executed and sent to the designated tray, column 4 lines 52-54)

Regarding claim 2 Kutsuwada discloses: An image forming device according to claim wherein, the position where said original to be copied is set is on an original-setting glass plate or on said automatic original feeder (please note column 5 lines 29-38).

Regarding claim 3 Kutsuwada discloses: An image forming device according to claim 1 wherein, when said original to be copied is set while said printer function is not active and said printer bin is in the position at said paper outlet said printer bin is immediately replaced by said copy bin (please note column 18 lines 11-52).

Regarding claim 4 Kutsuwada discloses: An image forming device according to claim 1 wherein, when said original to be copied is set while said printer function is active and said printer bin is in the position at said paper outlet, said printer bin is replaced by said copy bin immediately after completion of said printer function (please note column 18 lines 12-49).

Regarding claim 5 Kutsuwada discloses: An image forming device according to claim 1 wherein, when a copy key is depressed while said printer function is active and said printer bin is in the position at said paper outlet said printer bin is replaced by said copy bin immediately after completion of said printer function and the copy function is started (please note column 4 lines 50-60 where the dedicated tray is set for coping).

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Regarding claim 6 Kutsuwada discloses: An image forming device according to claim 1 wherein, when a predetermined period of time expires after completion of the printer function, said printer bin is replaced by said copy bin (please note column 8 lines 56-67).

Regarding claim 7 Kutsuwada discloses: An image forming device according to claim 1 wherein, when a printer signal instructing the printer function is received while the copy function is active and said copy bin is in the position at said paper outlet said copy bin is replaced by said printer bin immediately after completion of said copy function and the printer function is started (please note column 6 lines 30-62).

Regarding claim 8 Kutsuwada discloses: An image forming device comprising: an image forming main body operative for at least two different functions including a copy function and a facsimile function (please note Fig.1, column 2 lines 54-63, also Fig.5B, column 4 lines 22-39) a copy output having an image copied by said copy function and a facsimile output having an image formed by said facsimile function (please note Fig.6, column 10 lines 31-50 where the copy job and printing job and also a facsimile job was outputted) being discharged from a same paper outlet (please note column 6 lines 5-29 where the paper ejection unit 208 is discharging the papers from the copier and printer) and a finisher including a copy bin for receiving said copy output (please note column 4 lines 52-53) and a facsimile bin for receiving said facsimile output (please note Fig.5D, column 4 lines 51-54) which are selectively set in a position at said paper outlet such that (please note column 4 lines 50-55) when said facsimile bin is in the position at said paper outlet (please note column 4 lines 11-24 where the priority could be set for either

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copy, printer or facsimile) if an original to be copied is set, or if an automatic original feeder or a platen is raised, said facsimile bin is replaced by said copy bin (please note column 4 lines 27-37 where the if the copy job is set to be executed the print job is stopped and the copy job is executed and sent to the designated tray, column 4 lines 52-54).

Regarding claim 9 Kutsuwada discloses: An image forming device according to claim 8 wherein the position where said original to be copied is set is on an original-setting glass plate or on said automatic original feeder (please note column 5 lines 29-38).

Regarding claim 10 Kutsuwada discloses: An image forming device according to claim 8 wherein, when said original to be copied is set while said facsimile function is not active but said facsimile bin is in the position at said paper outlet, said copy bin is replaced by said copy bin (please note column 18 lines 11-52).

Regarding claim 11 Kutsuwada discloses: An image forming device according to claim 8 wherein, when said original to be copied is set while said facsimile function is active and said facsimile bin is in the position at said paper outlet, said facsimile bin is replaced by said copy bin immediately after completion of said facsimile function (please note column 18 lines 12-49).

Regarding claim 12 Kutsuwada discloses: An image forming device according to claim 8 wherein, when a copy key is depressed while said facsimile function is active and said facsimile bin is in the position at said paper outlet, said facsimile bin is replaced by said copy bin immediately after completion of said facsimile function, and the copy function is started (please note column 4 lines 50-60 where the dedicated tray

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is set for coping).

Regarding claim 13 Kutsuwada discloses: An image forming device according to claim 8 wherein, when a predetermined period of time expires after completion of the facsimile function, said facsimile bin is replaced by said copy bin (please note column 8 lines 56-67).

Regarding claim 14 Kutsuwada discloses: An image forming device according to claim 1 wherein, when a facsimile signal instructing a facsimile function is received while a copy function is active and said copy bin is in the position at said paper outlet, said copy bin is replaced by said facsimile bin immediately after completion of said copy function, and the facsimile function is started (please note column 6 lines 30-62).

Regarding claim 16 Kutsuwada discloses: An image forming device according to claim 15 wherein said first function is a copy function and said second function is a printer function (please note column 10 lines 1-29).

Regarding claim 17 Kutsuwada discloses: An image forming device according to claim 15 wherein said first function is a copy function and said second function is a facsimile function (please note column 7 lines 56-63).

Regarding claim 18 Kutsuwada discloses: An image forming device according to claim 17 wherein said image forming main body is further operative for a printer function (please note column 2 lines 54-63).

Contact Information

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- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

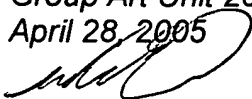
Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
April 28, 2005




KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER